9. Difficulties of the Jenmies arising under the Land Conservancy Regulation.

MR. NILAKANTAN NILAKANTAN NAMPUTIRI (*Member, Jenmi, Kottayam Division*) said that, owing to the inclusion of temples, temple premises and groves under *poramboke*, they were polluted by the entry of all classes of people under the impression that they were Sirkar lands, the trees in groves were cut and sold by the Government, and often it became necessary to remove the images elsewhere to prevent pollution.

Temple tanks were dug by the Hindus for the purposes of the Hindu devotees and *santikars*, and this had been recognised by the law courts. All classes of the people believed they had a right to use these tanks as they were recorded as *poramboke*.

Temple roads being treated as *porambokes*, *santikars* and other temple employés were inconvenienced. Though they were included within *sanketam* limits or formed part of *jenmom* holdings and were in the possession of *jenmies*, action was taken against them under the Land Conservancy Regulation. *Porambokes* adjoining temples situated on river banks were indiscriminately assigned away ; and bathing ghats used for ages by the *santikars* became unavailable for their use. While there had been erosion of the banks, the authorities recorded even portions of the registered holdings adjoining rivers and canals as *porambokes*. Similarly action under that Regulation was taken against owners of registered holdings adjoining roads. The Member prayed that the points urged by him should be considered and suitable redress granted wherever practicable.

DEWAN'S REPLY : Mr. Nilakantan Namputiri, your request will receive careful consideration at the hands of the Government.

10. Registry of Town Lands.

MR. N. KUNJURAMAN VAIDYAN (*Member, Nominated*) prayed for the reduction of the enhanced rates of assessment fixed for town lands under the *Revised Puduval Rules*. The definition of 'town' so as to include municipal towns, areas with a population of more than three thousand and those having a distinctly urban character was objectionable as that would cover the major part of the country. The townships under the *Revised Puduval Rules* were created without consulting the wishes of the local people affected. The adoption of population basis could not be regarded as satisfactory. People living in scattered houses in a tract interspersed with hills, valleys, canals and wet lands could hardly be regarded as living in towns. *Porambokes* adjacent to markets, public offices, and main thoroughfares and those situated in uninhabited areas should not be treated alike. Revenue officers were still doubtful as to the interpretation of Rules 33, 34 and 35 of the *Revised Puduval Rules* passed five years ago. There was conflict of views among Tahsildars and among Peishkars. As an illustration, he referred to the proceedings for the registry of one cent of *poramboke* land in Survey No. 248/5 B in the Kottarakara *pakuthi*. The owner of the adjacent land, Vakil Mr. N. Krishna Pillai, applied for its assignment on the 3rd Medam 1097, and the then Tahsildar found that there was no objection to its registry on a *taravila* of Rs. 10 and at the fourth *taram*. As the land was situated near the Railway station, the Tahsildar applied to the Peishkar and recommended its transfer from *poramboke* to *tarisu*. Before the sanction from the Peishkar's office was sent to the taluk office, that Tahsildar's successor, without inspecting the site, recommended the levy of a *taravila* of Rs. 40 and that was sanctioned. The party appealed to the Peishkar, and by that time a third Tahsildar was in charge of the taluk. He reported his agreement with his immediate predecessor's view, but on being specifically directed to inspect and report, he recommended the reduction of *taravila* to Rs. 20 ; and the Peishkar after local inspection accepted that view. On the appeal presented to the Land Revenue Commissioner, the *taravila* was reduced to Rs. 5.

The mode of assessment of tax was not correctly understood. The incidence of *taravila* on the annual assessment was not realised. In one instance in the Kottarakara taluk, owing to a mistake, a tax of 8 chs. alone was being realised against Re. 1–4 chs. due. The maximum assessment on one acre of town land under the rules was

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Rs. 571-12 chs. which approximated more to its market value. The heavy assessment on land was particularly burdensome as the soil was not fertile enough and it was wrong to fix *taravila* and assessment without reference to the income deriavable from land.

The relation between *taravila* and market value was not clear from the rules. This led to difficulties. No evidence was taken to ascertain the market value which was fixed by the *Proverthikar*. The result would be the relinquishment of town lands and the migration of people from towns. There was also the risk to approximate the assessment generally to the rates now in force for town lands when the resettlement was conducted. An examination of the *puduval* cases disposed of during the last five years would reveal the extent of the hardships and irregularities.

The *Puduval Rules* in force should be immediately revised. As the *taravila* for town lands was fixed with reference to the market value, the assessment should only be the same as that for ordinary *puduvals*. Final decisions in *puduval* cases should be published in the *Gazette* or under a new series of reports of the Travancore revenue decisions. The Tahsildars should fix the *taravila* only after a personal inspection.

DEWAN'S REPLY : Mr. Kunjuraman Vaidyan, you will have noticed that in my opening address to the Assembly yesterday, I touched upon the question of grievances felt by the people in respect of the present Town Lands Rules. From that you will gather that the whole subject is under the consideration of the Government ; and your representation will be taken into consideration before the matter is finally disposed of.

11. Suggestions for improvement of Land Revenue Administration with special reference to Pakuthi Cutcherries.

MR. M. SULTAN MOHIDEEN (*Member, Nominated*) spoke about certain defects and irregularities of the *pakuthi* officials and made suggestions for their improvement.

The *pakuthi* formed the unit of land revenue administration and exercised considerable influence in promoting the weal and woe of the people. The pay of the *Proverthikars*, etc., was not commensurate with their status, responsibilities or work; and those who misappropriated Government money would not leave the poor people free.

The rule that survey numbers should be noted in the tax receipt was not observed. Complaints on this score remained unheeded. As the *pattadar* was not exempt from liability to pay tax even on a land mortgaged by him, the *Proverthikar* could with impunity now realise tax from two persons. The low percentage of demand notices actually served was well-known. As the *pakuthi* office was not known to maintain a register of houses showing serial numbers, it was not clear by what trick of *Kuttichattan* the number of the house is noted on the reverse of the demand notice.

The weapons of the Land Conservancy Regulation, the Revenue Recovery Regulation, *Pokkuvaravu Rules*, *Puduval Rules*, etc., available in the armoury of the *Proverthikar*, deterred the people from lodging complaints against him. *Poramboke* encroachments were detected and taken up according to the whim or prejudice of the *Proverthikar*. The *Proverthikar* being looked upon as the local representative of the Government, an unpopular *Proverthikar* should be transferred immediately. The *Proverthikars* did not hesitate to oppress the people who would not give them illegal gratification.

A portion of a registered holding would suddenly become the property of a stranger who could produce a *patta* and a tax receipt. Stones could arbitrarily be planted and transferred. Lands in respect of which tax had been paid were sold in auction without any remedy available to the ryot, the receipt in whose possession did not show the survey numbers in respect of which payment had been made.

A separate register should be opened in the taluk offices to note complaints about *pakuthi* officials. All such complaints should be disposed of within three

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